

The Gazette



of India

EXTRAORDINARY
PART II—Section 3
PUBLISHED BY AUTHORITY

No. 523] NEW DELHI, TUESDAY, NOVEMBER 12, 1957/KARTIKA 21, 1879

MINISTRY OF FINANCE

(Department of Revenue)

NOTIFICATION

CUSTOMS

New Delhi, the 12th November, 1957

S.R.O. 3601.—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of that section for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 20th November, 1957.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. **Short title.**—These rules may be called the Customs Duties Drawback (Tooth Paste) Rules, 1957.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) “the Act” means the Sea Customs Act, 1878 (8 of 1878);
- (b) “goods” means tooth paste manufactured in India or the State of Pondicherry and in the manufacture of which imported materials have been used;
- (c) “imported materials” means materials imported into India or the State of Pondicherry on payment of customs duty.

3. **Goods in respect of which drawback may be paid.**—Subject to the provisions of the Act and these rules, a drawback shall be allowed in respect of the imported materials used in the goods exported from India or the State of Pondicherry, or shipped as stores for use on board a ship proceeding to a foreign port.

4. **Rate of drawback.**—(1) The rate of drawback admissible under these rules on the shipment of the goods shall be the average customs duty paid on the imported materials used in the manufacture of the goods.

(2) Such rate shall be determined by the Chief Customs authority at such intervals as that authority may consider necessary on the basis of information furnished by the manufacturer of the goods and verified by such authority, in respect of the duty paid on imported materials during such period as in the opinion of the authority is relevant for the purpose.

5. **Manner of allowing drawback.**—Drawback shall be allowed on the shipment of the goods from any port in India or the State of Pondicherry subject to the following conditions, namely:—

- (a) that the shipper shall make a declaration on the relative shipping bill that a claim for drawback under section 43B of the Act is being made; and
- (b) that the shipper shall furnish the Customs Collector with a copy of the shipment invoice or any other document giving details of the description, quantity and value of the goods under shipment.

6. **Powers of Customs Collector.**—For the purpose of these rules, the Customs Collector may require the shipper or the manufacturer of the goods to produce any books of accounts or other documents relating to the proportion and quantity of the imported material used in the manufacture of the goods and the duty paid thereon.

7. **Access to manufactory.**—The manufacturer of the goods in respect of which a drawback is claimed under these rules shall give access to every part of the manufactory to any officer of the Central Government specially authorised in this behalf by the Chief Customs Officer or the Chief Customs Authority, to enable the officer so authorised to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 258.]

M. A. RANGASWAMY, Dy. Secy.

MINISTRY OF HOME AFFAIRS

ERRATA

In Punjab Regional Committee Order, 1957, published in the Notification S.R.O. 3524 dated the 4th November, 1957 in the Gazette of India Extraordinary, Part II—Section 3, dated the 4th November, 1957 (Issue No. 512), the following corrections are to be made:—

- (i) Page 2734—after 'right' in line 1 of para 3(2) insert 'to',
- (ii) Page 2739—for "The Vice-Chairman" in lines 1—2 of sub-rule (1) of rule 225B of para 6 of "Third Schedule" read "The Chairman",